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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
  
OAKLAND DIVISION

DOE 1, DOE 2, and Kasadore ) Case No. C-06-5866 (SBA)  
Ramkisson, on Behalf of Themselves and )  
all other Persons Similarly Situated, )  
Plaintiffs, )  
v. )  
AOL LLC, )  
Defendant. )  
STIPULATION AND PROPOSED  
ORDER REGARDING FILING  
UNDER SEAL DOCUMENTS  
REVEALING THE IDENTITIES OF  
THE DOES

[C-06-5866 SBA] STIPULATION AND PROPOSED ORDER REGARDING FILING  
UNDER SEAL DOCUMENTS REVEALING THE IDENTITIES OF THE DOES

1 WHEREAS Plaintiffs filed on September 22, 2006, a Class Action Complaint and Notice  
2 of Motion, Motion, and Memorandum of Points and Authorities in Support of Motion by Doe 1  
3 and Doe 2 to Prosecute Case Anonymously and Request to File Declarations Under Seal  
4 (“Motion to Prosecute Case Anonymously” and “Request to File Declarations Under Seal,”  
5 respectively);  
6

7 WHEREAS on December 20, 2006, parties filed a Stipulation and Proposed Order  
8 concerning the Motion to Prosecute Case Anonymously and Request to File Declarations Under  
9 Seal (the “Stipulation & Proposed Order”) (Doc. No. 24);  
10

11 WHEREAS on December 22, 2006, the Court entered an Order allowing Plaintiffs Doe 1  
12 and Doe 2 to prosecute the pretrial phases of this case using pseudonyms and without disclosing  
13 their identities on the public record (the “December 22, 2006 Order”) (Doc. No. 25);  
14

15 WHEREAS on January 9, 2007, plaintiffs, pursuant to court order, filed on behalf of Doe  
16 1 and Doe 2 ADR certifications under seal and also provided the clerks office with redacted  
17 versions for the public record.  
18

19 WHEREAS on January 10, 2007 counsel for plaintiff was notified by Judge Armstrong’s  
20 clerk that the court’s order of December 22, 2006 concerning the Doe prosecution was silent as  
21 to the filing of documents under seal that identify the Doe Plaintiffs, including but not limited to  
22 the ADR Certifications required by Civil L.R. 16-8(b) and ADR L.R. 3-5(b);  
23

24 WHEREAS the parties have met and conferred on this issue;  
25

26 IT IS HEREBY STIPULATED by Plaintiffs and AOL, through their respective attorneys  
27 of record, and subject to the approval of the Court, as follows:  
28

1. Whenever any party of this action wishes to file a document that reveals the identity of Doe 1 or Doe 2, such party shall be permitted to file such document under seal. This permission includes, in particular, the ADR Certifications pertaining to Doe 1 and Doe 2 that are required by Civil L.R. 16-8(b) and ADR L.R. 3-5(b).

2. A party who files a document under seal pursuant to paragraph 1 above shall also simultaneously file with the Court, on the public record, a redacted version of said document(s) that conceals only the portion of the document that identifies Doe 1 and/or Doe 2.

3. On the same day that any document is filed under seal pursuant to paragraph 1 above, the filing party shall serve on opposing counsel, via hand delivery or electronic mail, complete copies of both the unredacted and redacted versions of such documents.

Dated: January 30, 2007 Respectfully Submitted,

# **BERMAN DEVALERIO PEASE TABACCO BURT & PUCILLO**

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8 *Counsel for Plaintiffs*  
9

10 **E-Filing Attestation**

11 I, C. Oliver Burt, III, am the ECF User whose ID and password are being used to file this  
12 document. In compliance with General Order 45 X.B, I hereby attest that the signatory  
identified below has concurred in this filing.

13 Dated: January 30, 2007

14 **WILMER CUTLER PICKERING  
HALE AND DORR LLP**

15 By: \_\_\_\_\_ /s/  
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27 *Attorneys for AOL LLC*

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UNDER SEAL DOCUMENTS REVEALING THE IDENTITIES OF THE DOES

## ORDER

PURSUANT TO STIPULATION, AND CAUSE APPEARING THEREFOR,  
**IT IS SO ORDERED.**

Dated: 2-9-                 , 2007

**THE HONORABLE SAUNDRA BROWN ARMSTRONG**  
United States District Judge